

PUBLIC HEARING NOTICE

The Greenfield City Council Economic Development Committee and Planning Board will hold a joint public hearing on Tuesday, February 11, 2020 at 6:00 p.m., at the City Hall Meeting Room, 2nd Floor, 14 Court Square, Greenfield, MA, to consider the following proposed amendments to the Greenfield Zoning Ordinance:

- 200-4.7 CENTRAL COMMERCIAL DISTRICT
 - ☐ Add the existing use category “single-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals;
 - ☐ Add the existing use category “two-family dwelling” as a use allowed by special permit from the Zoning Board of Appeals;
 - ☐ Add a new use “three-family dwelling” as a use allowed by right within the CC District;
 - ☐ Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by special permit from the Zoning Board of Appeals.
- 200-4.8 LIMITED COMMERCIAL DISTRICT
 - ☐ Add a new use “three-family dwelling” as a use allowed by right within the LC District;
 - ☐ Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the LC District.
- 200-4.9 GENERAL COMMERCIAL DISTRICT
 - ☐ Add the existing use category “Two-family dwelling” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.
 - ☐ Add a new use “three-family dwelling” as a use allowed by right within the GC District;
 - ☐ Add the existing use category “Bed-and-breakfast or tourist home” as a use allowed by right within the GC District. Currently, this use is only allowed by special permit in this district.
- 200-4.2 RURAL RESIDENTIAL DISTRICT (RC);
200-4.3 SUBURBAN RESIDENTIAL DISTRICT (RB);
200-4.4 URBAN RESIDENTIAL DISTRICT (RA);
200-4.5 SEMI-RESIDENTIAL DISTRICT (SR);
200-4.6 HEALTH SERVICE DISTRICT (H);
 - ☐ Add a new use “three-family dwelling” as a use allowed by right within the RC, RB, RA, SR, and H Districts.
- 200-2.1 TERMS AND WORDS
Add the following new definitions:
 - ☐ **DWELLING, THREE-FAMILY** -- A detached building containing three (3) dwelling units, intended and designed to be occupied by three (3) families, where each of the three (3) units, or any portion thereof, must be above or below at least one (1) of the other units.
 - ☐ **SINGLE HOUSEKEEPING UNIT** -- An interactive group of any number of persons jointly occupying a dwelling unit, including joint access to and use of common areas within the dwelling unit, and sharing household activities and responsibilities such as meals, chores, expenses and maintenance, and whose makeup is determined by the members of the unit rather than by the landlord, property manager, or other third party.

Remove the following definitions:

 - ☐ ~~**FAMILY** -- Any number of individuals related by blood or marriage or not more than four (4) individuals not so related, living and cooking together on the premises as a single housekeeping unit. Each additional unrelated individual over four (4) shall constitute another family.~~
 - ☐ ~~**ACCESSORY DWELLING UNIT, WITHIN** -- An Accessory Dwelling Unit that is within a single-family home is a self-contained housing unit incorporated within the single-family home that is clearly a subordinate part of the single-family home and complies with each of the criteria stated in this ordinance.~~

- ~~**ACCESSORY DWELLING UNIT, ATTACHED**~~ -- An attached Accessory Dwelling Unit is a self-contained housing unit added as an addition to a single-family home that is clearly a subordinate part of the single-family home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

Amend the following definitions:

- **DWELLING, MULTIFAMILY** -- A structure containing ~~three (3)~~ **four (4)** or more dwelling units, irrespective of ownership or tenure including apartments, efficiency apartments, and townhouses.
- ~~**ACCESSORY DWELLING UNIT, DETACHED**~~ -- A detached **An** Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family **or two-family** home, and may be incorporated within a garage or carriage house or other accessory structure or as a stand-alone structure that is clearly subordinate to the primary use as a single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

200-5.2 TABLE OF DIMENSIONAL REQUIREMENTS

District	Minimum Lot Area in Sq. Ft. ⁽¹⁾	Minimum Lot Frontage in Ft. & Lot Width ⁽¹⁾	Minimum Yard in Feet			Maximum Height in Ft.	Minimum Landscaped Open Space ⁽³⁾
			Front	Side ⁽²⁾	Rear ⁽²⁾		
RA	8,000 2,000 10,000 3,000	65 30	25 10	10 5	30 10	35	40% 20%
SR	8,000 2,000 10,000 3,000	65 30	25 10	10 5	30 10	35	40% 20%

1 The first number is for all principal uses including single-family dwellings. The second number is for two-family dwellings. For **three-family and** multifamily structures there shall be the minimum requirement for two-family dwellings plus an additional increase in lot area for each additional unit equal to the following:

RA, SR - 1,000 square feet

RA, SR, H - 2,000 square feet

RB, LC, GC - 4,000 square feet

RC - 5,000 square feet

Frontage for three-family lots shall be as follows:

RA, SR, H, LC, GC - 50 feet RB - 140 feet RC - 200 feet

Frontage for multifamily dwelling lots shall be as follows:

RA, SR, H, LC, GC - 100 feet RB - 140 feet RC - 200 feet

200-6.5 PARKING REQUIREMENTS

Dwellings	Two (2) parking spaces per unit
Uses accessory to the above	In addition to the above, one (1) space plus one (1) space for each nonresident employee.
Boardinghouse, lodging house,	Two (2) spaces plus one (1) space per rooming unit.

rooming house, bed-and-breakfast/tourist home	
Dormitory	One (1) space for each occupant.
Housing for the elderly	One and one-half (1 1/2) spaces per unit.
Public library, museum, or similar institution	One (1) space for each four hundred (400) two hundred (200) square feet open to the public.
Retail business, commercial use	One space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each six hundred (600) square feet thereafter.
Personal service establishment	One and one-half (1 1/2) spaces per chair and one (1) space for each employee on the largest shift.
Office, professional, business or public	One (1) space for each three hundred (300) square feet of floor area up to fifty thousand (50,000) square feet plus one (1) space for each six hundred (600) feet of floor area thereafter.
Restaurant, taverns, clubs, or other places serving food or beverages	One (1) space for each three (3) seats, permanent or otherwise, plus one (1) space for each employee on the largest shift.
Bowling alleys	Five (5) spaces for each alley.
Schools, preschool through middle or junior high	One (1) space for each teacher or other employee anticipated during normal school hours excluding students and one (1) space for each six (6) seats in the largest auditorium or gymnasium.
Schools, senior high, places of higher education, professional schools	One (1) space for each teacher or other employee anticipated during normal school hours, plus one (1) space for each five (5) students in a senior high school or one (1) space for each two (2) students in any other such institution plus one (1) space for each three (3) seats in the largest auditorium or gymnasium trade school.

200-8.4 SITE PLAN REVIEW AND APPROVAL

Add the following:

B: Projects requiring site plans. The creation, expansion, substantial alteration, or change in use of the following uses shall require site plan review and approval:

5) Creation of an Accessory Dwelling Unit.

200-7.18 ACCESSORY DWELLING UNITS

Amend as follows:

A. Purpose. The purpose of permitting accessory dwelling units (aka accessory apartments or in-law apartments) is to:

(1) Develop housing units ~~in owner occupied single family homes~~ that are appropriate for households at a variety of stages in their life cycle;

B. Definitions.

~~ACCESSORY DWELLING UNIT, WITHIN~~ — An Accessory Dwelling Unit that is within a single-family home is a self-contained housing unit incorporated within the single-family home that is clearly a subordinate part of the single-family home and complies with each of the criteria stated in this ordinance.

~~ACCESSORY DWELLING UNIT, ATTACHED~~ — An attached Accessory Dwelling Unit is a self-contained housing unit added as an addition to a single-family home that is clearly a subordinate

~~part of the single-family home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.~~

ACCESSORY DWELLING UNIT, ~~DETACHED~~ -- A detached **An** Accessory Dwelling Unit is a self-contained housing unit that is located on the same lot as the structure of a single-family home **or two-family home** and may be incorporated within a garage or carriage house or other accessory structure or as a standalone structure that is clearly subordinate to the primary use as a single-family **or two-family** home and complies with each of the criteria stated in this ordinance. This definition does not include a trailer or mobile home, however mounted.

C. Applicability.

~~(1) Accessory Dwelling Unit, Within. The Inspector of Buildings may issue a Building Permit authorizing the installation and use of an Accessory Dwelling Unit within an existing or new owner-occupied, single-family home within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(2) Accessory Dwelling Unit, Attached. An attached Accessory Dwelling Unit shall require a Special Permit granted by the Zoning Board of Appeals within the Urban Residential (RA), Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), and Limited Commercial (LC) Zoning Districts.~~

~~(3) Accessory Dwelling Unit, Detached. A detached **An** Accessory Dwelling Unit **shall require a site plan review.** shall require a Special Permit granted by the Zoning Board of Appeals within the Suburban Residential (RB), Rural Residential (RC), Semi-Residential (SR), Limited Commercial (LC), and Zoning Districts.~~

~~(4) Any proposed non-conforming attached or detached ADU is subject to a Special Permit from the Zoning Board of Appeals.~~

D. Accessory Dwelling Unit Standards.

(1) The Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and bath.

(2) Only one Accessory Dwelling Unit may be created within a single-family **or two-family** house or house lot.

~~(3) The owner(s) of the residence in which the Accessory Dwelling Unit is created must continue to occupy at least one of the dwelling units as their primary residence.~~

~~(4) The Accessory Dwelling Unit shall be designed so that the appearance of the building remains that of a single-family residence as much as feasibly possible. Any new entrances shall be located on the side or rear of the building. A detached accessory dwelling unit shall be compatible in design with the primary residence. Any stairways, access, or egress alterations serving the Accessory Dwelling Unit shall be enclosed, screened, or located so that visibility from public ways is minimized.~~

~~(5) The maximum gross floor area of Accessory Dwelling Units shall be 900 sq. ft. or one-third the total gross floor area of the single family home, whichever is greater.~~

~~(6) Once an Accessory Dwelling Unit has been added to a single-family residence or lot, the Accessory Dwelling Unit shall never be enlarged beyond the square footage of the original permit for the Accessory Dwelling Unit.~~

~~(7) An Accessory Dwelling Unit may not be occupied by more than three (3) people nor have more than two bedrooms.~~

~~(8) A minimum of two (2) but no more than four (4) off-street parking spaces must be available for use by the owner occupants and tenants.~~

~~(10) Prior to issuance of a permit, the owner(s) must send a notarized letter to the appropriate permitting authority stating that the owner(s) will occupy one of the dwelling units on the premises as the owner's permanent/primary residence.~~

~~(11) When a structure which has received a Permit for an Accessory Dwelling Unit is sold, the new owner(s), if they wish to continue to exercise the Permit, must, within thirty (30) days of the sale, submit a notarized letter to the Inspector of Buildings stating that they will occupy one of the~~

~~dwelling units on the premises as their primary residence. This statement shall be listed as condition on any Permits which are issued under this Section.~~

~~(12) Permits issued under this section shall specify that the owner must occupy one of the dwelling units. The Special Permit and the notarized letters must be recorded in the Franklin County Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Inspector of Buildings, prior to the occupancy of the Accessory Dwelling Unit.~~

~~(13) Prior to issuance of a Special Permit, a floor plan must be submitted showing the proposed interior and exterior changes to the building.~~

(14) For dwellings to be served by on-site septic system, the owner must obtain a letter from the Board of Health stating that the existing sewage disposal system is adequate for the proposed Accessory Dwelling Unit before a **Building** Special Permit can be obtained.

~~E. Existing Owner-Occupied Single Family Dwellings within Non-Residential Zoning Districts~~

~~(1) The Zoning Board of Appeals as SPGA may authorize the use of an attached or detached Accessory Dwelling Unit for an existing owner-occupied single family home or lot within non-residential zoning districts provided that all provisions of this ordinance are met.~~

F. Accessory Dwelling Units in Existence before the Adoption of the Accessory Dwelling Unit Ordinance

(1) To ensure that Accessory Dwelling Units or conversions in existence before the adoption of this Accessory Dwelling Unit ordinance are in compliance with the State Building Code the following application process is available.

(a) The Zoning Board of Appeals may authorize, ~~under a Special Permit and~~ in consultation with the Inspector of Buildings, a use known as an Accessory Dwelling Unit in an Owner-Occupied, Single-Family **or Two-Family** Dwelling. The Board in consultation with the Inspector of Buildings will review each existing use on a case-by-case basis to determine if the dwelling conforms to State Building Code.

~~(b) The applicant must follow the same procedure described in this ordinance including the submission of a notarized letter declaring owner occupancy.~~

Article IV: USE REGULATIONS (200.4.1 - 200.4.17)

Remove all instances of the following:

- “Accessory Dwelling Unit, Attached.”
- “Accessory Dwelling Unit, Within.”

Amend all instances of the following:

- Accessory Dwelling Unit, ~~Detached~~.

Add the amended use category “accessory dwelling unit” as a use allowed by right within the RC, RB, RA, SR, H, CC, LC, GC, and GI districts. Currently, this use is only allowed by special permit or not allowed within these districts.

The City Council may consider the same on Wed., February 19, 2020 at 7:00 p.m. at the John Zon Community Center, 35 Pleasant Street, Greenfield, MA 01301. Materials can be obtained from the City Clerk’s Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, x. 6163 or at the Department of Planning and Development at 20 Sanderson St., Room 203 from 8:00 a.m. - 4:00 p.m., Mon. - Fri. or phone at 413-772-1549.

Respectfully submitted,

Tim Dolan, Economic Development Committee Chairperson

Charles Roberts, Planning Board Chairperson

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